

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 7, 2001**

## DIVISION TWO

B141359      Brown et al.      (Not for Publication)  
v.  
Bank of America Corporation et al.

The appeal from the October 1999 orders is dismissed as untimely. The appeal from the denial of the motion for reconsideration is dismissed as from a nonappealable order. The March 3, 2000, order granting sanctions of \$1292 is affirmed.

Cooper, J.

We concur:   Boren, P.J.  
                      Nott, J.

B139114 People (Not for Publication)  
v.  
Pratch

The judgment is reversed in count 2. The judgment is affirmed in counts 3,4 and 5. The matter is remanded for resentencing in accordance with this opinion, and the amended abstract of judgment is to be sent to the Department of Corrections.

Cooper, J.

We concur:   Boren, P.J.  
                      Nott, J.

## February 7, 2001-Continued

## DIVISION TWO (Continued)

B133883 People v. Benford (Not for Publication)

The judgment is affirmed.

Cooper, J.

We concur:   Nott, Acting P.J.  
                      Todd, J.

DIVISION THREE

B138343 American Continental Insurance Company  
v.  
American Casualty Company of Reading, PA.

Filed order modifying opinion. (No change in the judgment)

DIVISION FOUR

B141244      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Renee M.

The order is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Lewin, J. (Assigned)

DIVISION FOUR (Continued)

B144293 Charles Darnell Cherry (Certified for Publication)

v.

Superior Court, Los Angeles County

(The People, r.p.i.)

The petition is denied, and the order to show cause is discharged.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

B140043 People

v.

Jensen

Filed order denying petition for rehearing.

DIVISION FIVE

Court convened at 8:00 A.M.

Present: Turner, P.J., Grignon, J., Willhite, J. (Assigned) and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B145996 People v. Armando Burron Jr.

B142759 People v. Steven Winn

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B142775     David A. Jones  
                 v.  
                 Bradley N. Leff

Merits:

Argued by Bruton R. Popkoff for appellant and by Bruce S. Ross for respondent. Cause submitted.

Court recessed.

Court reconvened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B139597 People v. Herandnez and Herrera  
B141291 People v. Genearo Rodriguez  
B139113 People v. Gomez

Argument waived, cause submitted.

B134935     Granitex Construction Company  
                 v.  
                 L.K. Comstock & Company et al.

Merits:

Argued by Robert L. Byer and Larry R. Rothstein for appellants and by Dale A. Ortman for respondent. Cause submitted.

DIVISION FIVE (Continued)

B135885      Ronald Blagden Anderson Sr.  
                 v.  
                 Mary Burrell Fulton et al.

Merits:

Argued by Ronald Blagden Anderson Sr., appellant in pro per, and by  
Raymond L. Fuentes, Marcy Burrell Fulton and Vicki Nash for  
respondents. Cause submitted.

Court recessed.

Court reconvened at 10:20 A.M.

Present: Turner, P.J., Grignon, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B142947 D.C.F.S. v. Pamela L  
B142372 D.C.F.S. v. Elura D.

Argument waived, cause submitted.

B139347      Kim et al.  
                 v.  
                 Kim et al.

Merits:

Argued by Alfred A. Calabro for respondents. No appearance for appellant.  
Cause submitted.

Court recessed.

Court reconvened at 11:00 A.M.

Present: Grignon, J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy  
Clerk.

DIVISION FIVE (Continued)

Each of the following:

B132539 People v. Ricardo Murillo  
B140598 People v. Ramiro Guzman  
B141028 People v. Roberto Cruz  
B140315 People v. Tereso Hernandez & Jose Leon  
B137513 People v. Ray Lavea  
B140842 People v. Rodney Wharry  
B142994 D.C.F.S. v. Virginia B.

Argument waived, cause submitted.

B133464     James Peck  
                 v.  
                 University of Southern California

Merits:

Argued by Bennett Rolfe for appellant and by Joann Victor for respondent.  
Cause submitted.

Court recessed.

Court reconvened at 1:00 P.M.

Present: Grignon, J., Armstrong, J., Godoy Perez, J. and Zaida G. Heraldez, Deputy Clerk.

B139331     Mary Asta  
                 v.  
                 Alamo Rent-A-Car et al.

Merits:

Argued by Steven J. Kleifield for appellant and by S. Alon Beker for respondents. Cause submitted.

## February 7, 2001-Continued

## DIVISION FIVE (Continued)

B137928      Lori McKay  
v.  
California Unemployment Insurance Appeals Board

Merits:  
Argued by Jack R. Willis for appellant and by Carolyn D. Fuson, deputy attorney general, for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

B138005 People (Not for Publication)  
v.  
Arreola

The judgment is affirmed.

Coffee, J.

I concur: Yegan, Acting P.J.  
I dissent: Perren, J. (Opinion)

B139615 People v. Olney (Not for Publication)

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## February 7, 2001-Continued

## DIVISION SIX (Continued)

B141570      People                                  (Not for Publication)  
v.  
Joshua Thomas W.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B139920      People  
v.  
Huang

Filed order recalling remittitur issued on January 26, 2001, due to clerical error.

B139439 People (Certified for Publication)  
v.  
Quinn

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

## February 7, 2001-Continued

## DIVISION SIX (Continued)

B141258      People                          (Not for Publication)  
v.  
Johnson

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Appellant's conviction for attempted murder (count 1) is reversed, as are the enhancement allegations attached to that count. Appellant's conviction for assault with a firearm (count 3) is affirmed, as is the enhancement allegations attached to that count. The case is remanded for retrial on the reversed count and allegations and/or other appropriate proceedings.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

## DIVISION SEVEN

B138511 People (Not for Publication)  
v.  
Sean D. Simms

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B127075      Picture Perfect Properties      (Not for Publication)  
v.  
Charles M. Forman

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur:   Lillie, P.J.  
                      Johnson, J.

## February 7, 2001-Continued

## DIVISION SEVEN (Continued)

B136641      People                                  (Not for Publication)  
v.  
Bruce Stevey Burman

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B139675      People      (Not for Publication)  
v.  
Pablo Hidalgo Alvarado

Convictions affirmed. Reversed and remanded for resentencing.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B140600 People (Not for Publication)  
v.  
Hector Diaz Gomez

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

DIVISION SEVEN (Continued)

B139323 Sharon Nolan (Hegetschweiler) (Not for Publication)  
v.  
Kurt Hegetschweiler

The judgment is reversed. Each party to bear their own costs.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B140783 People (Not for Publication)  
v.  
Neely Lejon Dinkins

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B142163 Vin-Jang Thomas Lee (Not for Publication)  
v.  
Doris Ying Feng

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur: Lillie, P.J.  
Johnson, J.

B133994 People  
v.  
Vernon

Filed order denying petition for rehearing.